

Notice of Allowability

Application No.

09/880,769

Examiner

Alison K. Pickard

Applicant(s)

EGLOFF, GEORG

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment of 9-20-04.
2. ☒ The allowed claim(s) is/are 1-6, 8, 10, 12-25 re#ed 1-6, 10-12, 7-9, and 13-22 resp.
3. ☒ The drawings filed on 30 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth Jarrell on 11-17-04. Mr. Jarrell also gave authorization for the additional fees (\$344.00) due for the 4 new independent claims (see attached sheet).

The application has been amended as follows:

8. (Currently Amended) A gasket comprising at least one metal layer having at least one through-hole and at least one metal ring welded thereto, said at least one metal ring being arranged around said at least one through-hole, a welding bead, said at least one metal ring being welded to said at least one metal layer over said welding bead, said welding bead extending continuously around said at least one through-hole, said welding bead maintaining said at least one metal layer and said at least one metal ring in a spaced-apart relationship and said at least one metal layer comprising at least one sealing bead, wherein said sealing bead extends around said at least one metal ring.

9. (Cancelled)

Claim 10, line 1, change "9" to --8--.

11. (Cancelled)

Art Unit: 3676

16. (Currently Amended) A method for manufacturing a gasket having at least one metal layer, and at least one metal ring, said metal layer having at least one through-hole comprising generating a welding bead in one of said metal layer and said metal ring and generating a welding joint between the metal layer and the metal ring by projection welding, said welding bead maintains said at least one metal layer and said at least one metal ring in a spaced-apart relationship, and generating a sealing bead in the at least one metal layer, said welding bead having a smaller height than the sealing bead, wherein said welding bead extends continuously around said at least one through-hole.

Claim 18, line 2, delete "a" and insert --the--.

Claim 18, line 3, delete "generational" and insert --generation of the--.

22. (New) A gasket comprising at least one metal layer having at least one through-hole and at least one metal ring welded thereto, said at least one metal ring being arranged around said at least one through-hole, a welding bead, said at least one metal ring being welded to said at least one metal layer over said welding bead, said welding bead extending continuously around said at least one through-hole, said welding bead maintaining said at least one metal layer and said at least one metal ring in a spaced-apart relationship and said at least one metal layer comprising at least one sealing bead, wherein said at least one metal ring extends around said sealing bead.

23. (New) A gasket comprising at least one metal layer having at least one through-hole and at least one metal ring welded thereto, said at least one metal ring being arranged around said at least one through-hole, a welding bead, said at least one metal ring being welded to said at least one metal layer over said welding bead, said welding bead extending continuously around said at least one through-hole, said welding bead maintaining said at least one metal layer and said at least one metal ring in a spaced-apart relationship and said at least one metal layer comprising at least one sealing bead, wherein said welding bead extends within the sealing bead.

24. (New) A method for manufacturing a gasket having at least one metal layer, and at

Art Unit: 3676

least one metal ring, said metal layer having at least one through-hole comprising generating a welding bead in one of said metal layer and said metal ring and generating a welding joint between the metal layer and the metal ring by projection welding, said welding bead maintains said at least one metal layer and said at least one metal ring in a spaced-apart relationship, and generating a sealing bead in the at least one metal layer, wherein said welding bead extends continuously around said at least one through-hole, and arranging at least one deformation limiter within the welding bead during the generation of the welding joint.

25. (New) A method for manufacturing a gasket having at least one metal layer, and at least one metal ring, said metal layer having at least one through-hole comprising generating a welding bead in one of said metal layer and said metal ring and generating a welding joint between the metal layer and the metal ring by projection welding, said welding bead maintains said at least one metal layer and said at least one metal ring in a spaced-apart relationship, and generating a sealing bead in the at least one metal layer, wherein said welding bead extends continuously around said at least one through-hole, and arranging at least one abutment element outside the welding bead during generation of the welding joint.

2. The following is an examiner's statement of reasons for allowance: The closest prior art is considered to be Udagawa, Tanaka, Peterson and Opprecht. Udagawa is the only reference disclosing the layers in a spaced apart manner. However, Udagawa does not disclose that the height of the weld bead is smaller than the sealing bead. And, there is no motivation to modify the reference in this manner. Udagawa also does not disclose a metal ring extending around the bead or a bead extending around the metal ring. While Tanaka shows these features, Tanaka lacks other limitations such as the spaced relationship, etc.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 3676

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alison K. Pickard whose telephone number is 703-305-0882.

The examiner can normally be reached on M-F (10-7:30), with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alison K. Pickard
Primary Examiner
Art Unit 3676

AP